

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:06-CR-0064</b>
	:	
<b>v.</b>	:	<b>(Judge Conner)</b>
	:	
<b>GEORGE HOPKINS</b>	:	

**ORDER**

AND NOW, this 5th day of August, 2013, upon consideration of the motion for a certificate of appealability (“COA”) (Doc. 81), in which petitioner George Hopkins requests a COA for his 28 U.S.C. § 2255 motion, and the court finding that Hopkins has made a substantial showing of a denial of a constitutional right, 28 U.S.C. § 2253(c)(2), because reasonable jurists could disagree as to the court’s holding that the Supreme Court’s recent decision in Setser v. United States, 132 S.Ct. 1463 (2012), did not apply retroactively to Hopkins’ case on collateral review, it is hereby ORDERED that:

1. Hopkins motion for a certificate of appealability is GRANTED.
2. A certificate of appealability is hereby issued on the following issues:
  1. Whether Setser v. United States, 132 S.Ct. 1463 (2012), applies to Hopkins’ case on collateral review; and
  2. Whether Hopkins’ counsel was constitutionally ineffective for failing to request that his federal term of imprisonment be imposed concurrently to his anticipated but unimposed state sentence.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge